United Nations A/62/542–S/2007/664

General Assembly
Security Council

Distr.: General
12 November 2007

Original: English

General Assembly
Sixty-second session
Agenda items 106, 107 and 108

Crime prevention and criminal justice

International drug control

Measures to eliminate international terrorism

Security Council
Sixty-second year

Note verbale dated 8 November 2007 from the Permanent Mission of Tonga to the United Nations addressed to the Secretary-General

The Permanent Mission of the Kingdom of Tonga to the United Nations has the honour, in its capacity as the current Chair of the Pacific Islands Forum, to transmit herewith a copy of the conclusions of the Regional Consultation Workshop on measures for the legislative implementation of the legal regime against terrorism in the Pacific region and related technical assistance delivery, held in Nadi, Fiji, on 25 and 26 June 2007 (see annex).

The Permanent Mission of the Kingdom of Tonga to the United Nations would be grateful if this note verbale and the attached workshop conclusions were circulated as a document of the General Assembly, under agenda items 106, 107 and 108, and of the Security Council.

07-59625 (E) 161107

Annex to the note verbale dated 8 November 2007 from the Permanent Mission of the Kingdom of Tonga to the United Nations addressed to the Secretary-General

Regional Consultation Workshop on measures for the legislative implementation of the legal regime against terrorism in the Pacific region and related technical assistance delivery

Nadi, Fiji, 25 and 26 June 2007

Organized by the United Nations Office on Drugs and Crime in cooperation with the Pacific Islands Forum Secretariat

Workshop conclusions

The participants of the Regional Consultation Workshop on measures for the legislative implementation of the legal regime against terrorism in the Pacific region and related technical assistance delivery, held in Nadi, Fiji, from 25 to 26 June 2007;

Representing the following Pacific Islands Forum countries:

– Australia, Cook Islands, Fiji, Kiribati, Nauru, Niue, New Zealand, Palau, Papua New Guinea, Republic of Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu, as well as Timor-Leste, the special observer of the Forum;

Reaffirming that terrorism poses a significant threat to peace and international security and undermines the core values of the United Nations and the Pacific Islands Forum;

Acknowledging the work undertaken by Forum Members and observers in complying with their international obligations and relevant regional instruments relating to counter-terrorism and their determination to undertake required national level action, as reflected inter alia in the Honiara and Nasonini Declarations;

Acknowledging the development of a counter-terrorism strategy within the Pacific Islands Forum Secretariat (PIFS), taking into account related broad issues including good governance;

Stressing the importance of ratifying and fully implementing the universal counter-terrorism instruments as well as complying with the requirements of all relevant Security Council resolutions;

Welcoming the joint initiative launched by the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC) and the PIFS for reinforcing the delivery of technical assistance to the Forum countries to strengthen the legal regime against terrorism, taking into account the Pacific model law on counter-terrorism and transnational organized crime, developed by the PIFS;

Expressing our appreciation to the Counter-Terrorism Committee Executive Directorate and the 1540 Committee Expert Group for their contributions to the Workshop;

Expressing our appreciation to UNODC and the PIFS for their initiative in organizing the Consultation Workshop;

Have agreed on the following conclusions:

1. Recognize the need to review existing domestic laws and develop new counter-terrorism legislation where appropriate, particularly in the penal field and international cooperation, with the aim of ensuring that they meet the requirements arising from the universal counter-terrorism instruments;

2. Affirm the usefulness and appropriateness of the technical assistance services offered by UNODC/TPB for the legal implementation of the above instruments, in partnership with the PIFS and in coordination with other relevant providers of assistance;

3. Welcome the opportunity and availability of UNODC/TPB and the PIFS to provide on-the-ground and sustained support to the Forum Islands countries and observers and, for this purpose, undertake the following types of activities:

- National level technical support, advisory services and other required expertise assistance in the legal areas relating to counter-terrorism, especially for the ratification of the universal counter-terrorism instruments and the legislative incorporation of their provisions into national legislation, including drafting assistance;
- National level training for relevant criminal justice officials to build counter-terrorism legal capacity for achieving the effective application of the legal regime against terrorism;
- Regional consultations and workshops for the Pacific Islands countries and observers on specialized substantive legal issues, to foster specialized knowledge and expert capacity to address those issues;
- Senior policy level workshops on strengthening the legal regime against terrorism, especially to review progress being made and provide guidance for required further steps pertaining to technical assistance needs and delivery.

4. Recommend Forum Members and observers to draw on the specialized legal and related technical assistance services offered by the Terrorism Prevention Branch of UNODC in partnership with the PIFS;

5. Express our firm intention to formalize technical assistance requests that match our respective country's requirements in the legal and related areas and to submit them through diplomatic channels;

6. Request UNODC/TPB to take the necessary steps for meeting the requests expeditiously upon their submission, in partnership with the PIFS and achieving complementarity and synergy with other relevant initiatives of the PIFS, taking into account other donor agencies;

7. Request UNODC to hold, in partnership with the PIFS, a follow-up consultation in connection with the 2008 meeting of the Working Group on Counter-Terrorism and/or Forum Regional Security Committee Meeting, for reviewing the practical follow-up given to the conclusions of this consultation workshop, especially the fulfilment of the technical assistance requests made by the Pacific

Islands countries, and to review further measures to be pursued for strengthening the legal regime against terrorism;

8. Request the PIFS to bring the conclusions of this consultation workshop to the attention of the Security Council and the General Assembly of the United Nations, for appraising them of the measures being envisaged for technical assistance delivery to the Pacific Islands countries;

9. Take note of the consultations with UNODC, the Counter-Terrorism Committee Executive Directorate and the 1540 Committee Expert Group, and the indicated intention of participating countries to follow up on those consultations through formal technical assistance requests;

10. Recognize that broader law enforcement programmes will complement the implementation of the universal counter-terrorism instruments;

11. Take note of the legal and related technical assistance needs indicated during the bilateral consultations with UNODC by the following countries:

Cook Islands

National workshop for drafting legislation to be able to ratify remaining universal counter-terrorism instruments, especially Nuclear Material Convention, Terrorist Bombing Convention, Maritime Convention and Continental Shelf Platform Convention.

Fiji

Assistance in drafting counter-terrorism legislation and accession to the remaining universal counter-terrorism instruments.

Training for criminal justice officials (prosecutors, law enforcement officers) on counter-terrorism legislation and their application in actual cases.

Kiribati

Basic training for law enforcement officers, and review of the existing counter-terrorism legislation.

Nauru

Review and assess gaps in counter-terrorism legislation and implications for ratification. Training of criminal justice officials (prosecutors, law enforcement officials) on counter-terrorism legislation and their application.

Niue

In-country training of criminal justice officials (judges, prosecutors, investigators) on counter-terrorism legislation and its application.

Palau

Review of gaps in counter-terrorism legislation and suggest appropriate amendments. National workshop to sensitize criminal justice officials to a new 2007 legislation.

Papua New Guinea

Drafting assistance and training of criminal justice officials on counter-terrorism legislation.

Republic of the Marshall Islands

Basic training for law enforcement officers. National workshop to sensitize criminal justice officials on the universal counter-terrorism instruments (remaining four to be ratified). Drafting workshop on counter-terrorism legislation. Training of criminal justice officials (judges, prosecutors, investigators) on counter-terrorism legislation and application.

Samoa

Assistance in drafting counter-terrorism legislation, and in the criminal law aspects of counter-terrorism related areas, such as financial law and practice, customs and border security law, and civil aviation.

Solomon Islands

In-country training of criminal justice officials (judges, prosecutors, investigators) on counter-terrorism legislation and its application. Assistance in complying with relevant reporting obligations.

Timor-Leste

Technical assistance requested after Parliamentary elections (next month) and formation of new Government. National workshop on ratification and implementation of universal counter-terrorism instruments.

Vanuatu

Review of the 2005 Counter-Terrorism Act to check for gaps and for the purpose of incorporating requirements of universal counter-terrorism instruments not yet ratified.

Review of extradition and mutual legal assistance legislation. In-country training of criminal justice officials on the enforcement of the counter-terrorism legislation.